

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

**UNITED STATES' NOTICE OF WITHDRAWAL OF MOTION FOR PRELIMINARY  
ORDER OF FORFEITURE (Docket No. 132)**

The United States of America, by its attorney, Rachael S. Rollins, United States Attorney for the District of Massachusetts, hereby provides Notice of Withdrawal of its Motion for Preliminary Order of Forfeiture for Substitute Assets Towards Satisfaction of Order of Forfeiture (Money Judgment), Docket No. 132, (the “Motion”), without prejudice. The United States, defendant Jayne Carbone, and Robert Brooks, Personal Representative of the Estate of Wayne T. Kerr (hereinafter referred to as the “Parties”), have reached an agreement on the sale and disposition of the proceeds of the sale of the subject property,<sup>1</sup> described as follows:

a. All the land with the buildings thereon in Chelsea in said Commonwealth situated on Grove Street, and being numbered 15 and 17 on said street, and bounded and described as follows:

NORTHEASTERLY by Grove Street, fifty-two and 50/100 (52.50) feet;  
NORTHWESTERLY by land now or formerly of Burgin, by a line formerly  
described as running through the center of a brick partition  
wall, seventy (70) feet;  
SOUTHWESTERLY by land of owner unknown, fifty-two and 50/100 (52.50)  
feet; and  
SOUTHEASTERLY by land now or late of Zenas Snow, seventy (70) feet more  
or less

<sup>1</sup> The settlement agreement provides for the distribution of sale proceeds so that the victim restitution ordered in this case will be satisfied, the government will receive a portion of the forfeiture money judgment amount ordered, and the United States will agree to forgo collection of the balance of the forfeiture money judgment. The government will provide further updates to the Court after the sale of the 15 Grove Street Property and distribution of the sale proceeds.

For Title to the property, see Quitclaim Deed recorded with the Suffolk County Registry of Deeds on April 6, 2011, at Book 47777, Pages 232-233

(hereinafter referred to as the “15 Grove Street Property”), and the United States no longer seeks to forfeit the 15 Grove Street Property in the instant criminal case.

The United States withdraws the motion without prejudice, however, in the event that the settlement agreement is violated and/or the sale of the 15 Grove Street Property does not materialize.

Respectfully submitted,

RACHAEL S. ROLLINS  
United States Attorney,

By: */s/ Carol E. Head*  
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Dated: December 15, 2022

#### **CERTIFICATE OF SERVICE**

I, Carol E. Head, Assistant United States Attorney, certify that the Notice of Withdrawal was served by first class mail, postage prepaid, upon Nancy Sue Keller, Esquire, Bagley Law, P.C., 27 Congress Street, Suite 205-06, Salem, MA 01970, and Joseph S. Provanzano, Esquire, Law Offices of Joseph S. Provanzano, 16 Bourbon Street, Peabody, MA 01960, on behalf of Robert Brooks, Personal Representative of the Estate of Wayne T. Kerr. The document was also served on the defendant Jane Carbone’s criminal counsel through the ECF system.

Date: December 15, 2022

*/s/ Carol E. Head*  
CAROL E. HEAD  
Assistant United States Attorney